

**BEFORE THE  
CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the First Amended Petition to  
Revoke Probation Against:

**MOJGAN V. HASSANI**  
11984 Rancho Bernardo Rd. #F  
San Diego, CA 92128

Occupational Therapy Assistant License No.  
OTA 1532

Respondent.

Case No. OA 2006-360S

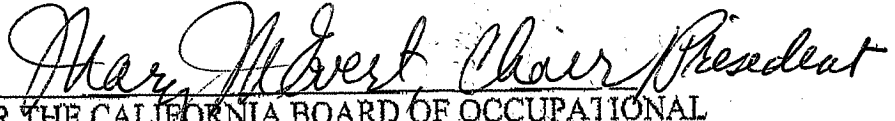
OAH No. 2011010372

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the  
California Board of Occupational Therapy, Department of Consumer Affairs, as its Decision in  
this matter.

This Decision shall become effective on July 22, 2011.

It is so ORDERED June 22, 2011.

  
FOR THE CALIFORNIA BOARD OF OCCUPATIONAL  
THERAPY  
DEPARTMENT OF CONSUMER AFFAIRS

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Attorney General of California  
2 LINDA K. SCHNEIDER  
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8  
9 **BEFORE THE**  
**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the First Amended Petition to  
13 Revoke Probation Against:

Case No. OA 2006-360S

OAH No. 2011010372

14 **MOJGAN V. HASSANI**  
11984 Rancho Bernardo Rd. #F  
15 San Diego, CA 92128

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

16 Occupational Therapy Assistant License No.  
17 OTA 1532

18 Respondent.

19  
20 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties in this  
21 proceeding that the following matters are true:

22 **PARTIES**

23 1. Heather Martin (Complainant) is the Executive Officer of the California Board of  
24 Occupational Therapy. She brought this action solely in her official capacity and is represented  
25 in this matter by Kamala D. Harris, Attorney General of the State of California and by Desiree I.  
26 Kellogg, Deputy Attorney General.

27 2. Mojgan V. Hassani (Respondent) is represented in this proceeding by attorney Kevin  
28 C. Murphy, whose address is 2445 5th Avenue, Suite 330, San Diego, CA 92101.

1       3. On or about February 7, 2006, the California Board of Occupational Therapy issued  
2 Occupational Therapy Assistant License No. OTA 1532 to Mojgan V. Hassani (Respondent).  
3 The Occupational Therapy Assistant License was in full force and effect at all times relevant to  
4 the charges brought in The First Amended Petition to Revoke Probation No. OA 2006-360S and  
5 will expire on April 30, 2013, unless renewed.

6                                   JURISDICTION

7       4. The First Amended Petition to Revoke Probation No. OA 2006-360S was filed before  
8 the California Board of Occupational Therapy (Board), Department of Consumer Affairs, and is  
9 currently pending against Respondent. The First Amended Petition to Revoke Probation and all  
10 other statutorily required documents were properly served on Respondent on April 12, 2011.  
11 Respondent timely filed her Notice of Defense. A copy of The First Amended Petition to Revoke  
12 Probation No. OA 2006-360S is attached as Exhibit A and incorporated by reference.

13                                   ADVISEMENT AND WAIVERS

14       5. Respondent has carefully read, fully discussed with counsel, and understands the  
15 charges and allegations in the First Amended Petition to Revoke Probation No. OA 2006-360S.  
16 Respondent also has carefully read, fully discussed with counsel, and understands the effects of  
17 this Stipulated Surrender of License and Order.

18       6. Respondent is fully aware of her legal rights in this matter, including the right to a  
19 hearing on the charges and allegations in the First Amended Petition to Revoke Probation; the  
20 right to confront and cross-examine the witnesses against her; the right to present evidence and to  
21 testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of  
22 witnesses and the production of documents; the right to reconsideration and court review of an  
23 adverse decision; and all other rights accorded by the California Administrative Procedure Act  
24 and other applicable laws.

25       7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
26 every right set forth above.  
27  
28

1 CULPABILITY

2 8. Respondent understands and agrees that the charges and allegations in the First  
3 Amended Petition to Revoke Probation No. OA 2006-360S, if proven at hearing, constitute cause  
4 for imposing further discipline upon her Occupational Therapy Assistant License.

5 9. For the purpose of resolving the First Amended Petition to Revoke Probation No. OA  
6 2006-360S without the expense of a hearing, Respondent agrees that at a hearing, Complainant  
7 could establish a factual basis for the charges in the First Amended Petition to Revoke Probation  
8 No. OA 2006-360S, and that Respondent hereby gives up her right to contest those charges.

9 10. Respondent understands that by signing this stipulation she enables the Board to issue  
10 an order accepting the surrender of her Occupational Therapy Assistant License without further  
11 process.

12 CONTINGENCY

13 11. This stipulation shall be subject to approval by the California Board of Occupational  
14 Therapy. Respondent understands and agrees that counsel for Complainant and the staff of the  
15 Board may communicate directly with the Board regarding this stipulation and surrender, without  
16 notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent  
17 understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation  
18 prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation  
19 as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or  
20 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,  
21 and the Board shall not be disqualified from further action by having considered this matter.

22 12. The parties understand and agree that facsimile copies of this Stipulated Surrender of  
23 License and Order, including facsimile signatures thereto, shall have the same force and effect as  
24 the originals.

25 13. This Stipulated Surrender of License and Order is intended by the parties to be an  
26 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
27 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
28 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order

1 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
2 executed by an authorized representative of each of the parties.

3 14. In consideration of the foregoing admissions and stipulations, the parties agree that  
4 the Board may, without further notice or formal proceeding, issue and enter the following Order:

5 **ORDER**

6 IT IS HEREBY ORDERED that Occupational Therapy Assistant License No. OTA 1532,  
7 issued to Respondent Mojgan V. Hassani, is surrendered and accepted by the California Board of  
8 Occupational Therapy.

9 1. The surrender of Respondent's Occupational Therapy Assistant License and the  
10 acceptance of the surrendered license by the Board shall constitute the imposition of discipline  
11 against Respondent. This stipulation constitutes a record of the discipline and shall become a part  
12 of Respondent's license history with the Board.

13 2. Respondent shall lose all rights and privileges as an occupational therapist assistant in  
14 California as of the effective date of the Board's Decision and Order.

15 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was  
16 issued, her wall certificate on or before the effective date of the Decision and Order.

17 4. If Respondent ever files an application for licensure or a petition for reinstatement in  
18 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
19 comply with all the laws, regulations and procedures for reinstatement of a revoked license in  
20 effect at the time the petition is filed, and all of the charges and allegations contained in the First  
21 Amended Petition to Revoke Probation No. OA 2006-360S shall be deemed to be true, correct  
22 and admitted by Respondent when the Board determines whether to grant or deny the petition.

23 5. If and when Respondent's license is reinstated, she shall pay to the Board costs  
24 associated with its investigation and enforcement from the action entitled *In the Matter of*  
25 *Accusation Against Mojgan V. Hassani*, Case No. OA 2006-360 pursuant to Business and  
26 Professions Code section 125.3 in the amount of \$1,200.00 and all other outstanding costs from  
27 that matter are waived. Respondent shall be permitted to pay these costs in a payment plan  
28 approved by the Board commencing six (6) months after and if her license is reinstated.

6. If Respondent should ever apply or reapply for a new license, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in the First Amended Petition to Revoke Probation, No. OA 2006-360S shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

7. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the California Board of Occupational Therapy's Decision and Order.

## ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Kevin C. Murphy. I understand the stipulation and the effect it will have on my Occupational Therapy Assistant License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the California Board of Occupational Therapy.

DATED:

5/12/11

MOJGAN V. HASSANI  
Respondent

I have read and fully discussed with Respondent Mojgan V. Hassani the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED:

5/12/11

KEVIN C. MURPHY  
Attorney for Respondent


ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the California Board of Occupational Therapy of the Department of Consumer Affairs.

Dated: May 16, 2011

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
LINDA K. SCHNEIDER  
Supervising Deputy Attorney General



DESIREE I. KELLOGG  
Deputy Attorney General  
*Attorneys for Complainant*

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